

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

VALERIE HESTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	1:16CV911
JONATHAN BLAIR BISER,	)	
	)	
Defendant.	)	

**ORDER**

On February 16, 2017, in accordance with 28 U.S.C. § 636(b), the Order and Recommendation of the United States Magistrate Judge [Doc. #10] was filed and served on the parties in this action. Within the time limitation set forth in the statute, Plaintiff Valerie Hester objected to the Recommendation [Doc. #12]. The Court has made a de novo determination which is in accord with the Magistrate Judge's Recommendation and adopts the Recommendation.

**IT IS THEREFORE ORDERED** that this action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B) for lack of subject matter jurisdiction and that Plaintiff's Motion to Expedite [Doc. #6] and Defendant's Motion to Dismiss [Doc. #7] are **DENIED AS MOOT**. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 14<sup>th</sup> day of April, 2017.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge